



DECISION MEMO
West Fork Corral Creek Meadow Restoration
USDA Forest Service, Northern Region
Palouse Ranger District
Nez Perce – Clearwater National Forests
Latah County, Idaho



I. Decision

I am authorizing the restoration of the West Fork of Corral Creek's floodplain, riparian, and stream channel features in Vassar and Five-Acre Meadows, to both improve conditions for aquatic and riparian species and to restore the stream to its historic channel. Legal coordinates for the project site are: T40N R2W, Sec. 1 & 2, and T41N R2W, Sec. 35 & 36 (Boise Meridian).

A. Background

The West Fork of Corral Creek is an intermittent stream in the headwaters of a watershed containing steelhead trout. It is upstream of watershed improvements on other ownerships that have removed fish barriers and re-established flow in vegetated historic channels, extending usable fish habitat toward National Forest lands. The project area water table has dropped, so the channel has nick points that need slowing or reversal. Streamflow is flashy, responding quickly to snowmelt and storm events, leaving the channel dry, or in scattered pools, most of the summer. The stream has been channelized by a historic railroad grade. Meadow vegetation has a native component, and, due to grazing, also has non-native and weedy components. These meadows have been altered in the past to facilitate logging and livestock grazing, leading to stream channel diversion, widening, and downcutting, with a loss of historic hydrologic function.

The Idaho Department of Environmental Quality (IDEQ) currently considers Corral Creek as water quality limited, impaired by sediment and temperature, attributed to over-widened channels and depauperate riparian vegetation. Continued surveys by the Idaho Fish & Game demonstrate that juvenile steelhead are present in Corral Creek and many tributaries, but that non-game fish (primarily speckled dace) are the dominant fish species in the upper watershed. The project is designed to slow surface discharge and enhance groundwater recharge, prevent the introduction of sediment into the West Fork and Corral Creek from excessive stream bank and bed erosion, and revegetate riparian and wetland areas.

B. Design Specifications / Equipment

The proposed activities would be conducted by contractors, overseen and directed by Forest Service and Latah Soil and Water Conservation District staff, over approximately 60 days in 2015, and would be accomplished with heavy equipment and/or by hand. Instream work activities would begin after spring runoff in stream segments that do not have flowing water, typically between June 1 and September 30.

In Vassar Meadow, the project will remove railroad berm, excavate “persuasion channels”, and construct ditch plugs, fill areas, log jams, and faux beaver dam structures. Ancillary and support activities will include: creating improvements such as clearing, tree trimming, rut filling, and blading to allow heavy equipment and truck access to the upper end of the activity area; constructing about 1,700’ of temporary access road; constructing five-strand barbed-wire fencing (with gates) completely around the persuasion channel area; harvesting sod from areas of the meadow remote from the streams; and, removing old culverts and other metal scrap. In Five-Acre Meadow, the project will construct both a “persuasion channel”, conveying Ledgerwood Creek streamflow toward the West Fork channel, and ditch plugs. Ancillary and support activities will be the same as Vassar Meadow. Appropriate mitigation measures will be used during the project to reduce potential effects to ESA-listed and sensitive species, including: not conducting work in flowing water; seining pools to capture any fish present prior to soil disturbance, fill, or pumping; properly caring for seined fish; controlling erosion; pre-treating noxious weeds; mulching with appropriate materials; fencing cattle, where appropriate, until vegetation is fully established; inspecting work equipment; and, cleaning equipment in appropriate locations.

Project design features will also minimize effects to other specific resource issues. BMPs will be applied to maintain slope stability and minimize soil disturbance, erosion and sediment delivery to floodplains and/or wetlands from project work. Soil quality standards apply to lands where vegetation and water resource management are the principal objectives. The design of the project will increase soil productivity by reestablishing native riparian vegetation and minimizing past detrimental impacts. Required permits for disturbance of water or wetlands will be obtained prior to initiating work. Mitigation measures identified in the permitting process will be incorporated into the project plans.

II. Rationale for Decision and Reasons for Categorically Excluding the Decision

A. Category of Exclusion and Rationale for Using the Category

Based on information in this document and the project record, I have determined that this project may be categorically excluded from documentation in an EA or EIS. It meets all the criteria outlined for 36 CFR 220.6(e)(18): *Restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled.*

B. Finding of No Extraordinary Circumstances

I have determined that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6(b)). The rationale for my decision is based on: 1) the proposed action fully meeting the criteria for Categorical Exclusions; 2) the proposed action meeting the purpose and need; 3) the findings related to extraordinary circumstances, discussed below; 4) the project’s consistency with laws and regulations, including the Forest Plan; 5) on-the-ground reviews and discussions with Forest and/or District resource specialists; and, 6) my review of the Biological Assessments (BA), Biological Evaluations (BE), and/or the Forest Interdisciplinary Team specialists’ reports.

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat or Forest Service sensitive species:

The Forest Interdisciplinary Team Botanist, along with the Wildlife and Fisheries Biologists, determined the proposed project would have no adverse effect, directly or indirectly, on listed or sensitive plant, wildlife or fish species or habitat (except the ones mentioned here). Peak nesting period for the Short-eared Owl is April through May, but project implementation will fall outside of this; therefore, no adverse effects are likely to occur. Indirect effects to steelhead, in the form of changes to stream channel, water quality, and riparian habitat are likely to occur, but are not likely to adversely affect this species. The proposed project should improve groundwater absorption and retention in the meadows and should reduce fine sediment transport into these streams, so habitat conditions for steelhead should improve.

2. Floodplains, wetlands or municipal watersheds:

Floodplains: The project would increase flow to the meadows, creating conditions that will enhance floodplain functions in Corral Creek; thereby, complying with EO 11988 and FSH 1909.15, Chapter 30.3.2.

Wetlands: The project would increase flow to the meadows, creating conditions that will enhance any existing wetlands and promote expansion of wetlands, so it will not adversely affect wetlands; thereby, complying with EO 11990 and FSH 1909.15, Chapter 30.3.2.

Municipal Watersheds: The project area is not located within a municipal watershed, so it will not adversely affect municipal watersheds; thereby, complying with FSH 1909.15, Chapter 30.3.2.

3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas:

The project area is not located within congressionally designated wilderness areas, wilderness study areas or Wild and Scenic River corridors; therefore, no extraordinary circumstances were identified.

4. Inventoried roadless or potential wilderness areas:

The project is not located within any Forest Plan or Idaho Roadless areas (36 CFR 294(c)) or potential wilderness areas; therefore, no extraordinary circumstances were identified.

5. Research Natural Areas:

The project area does not include land designated as a Research Natural Area; therefore, no extraordinary circumstances were identified.

6. American Indians and Alaska native religious or cultural sites:

The Forest Interdisciplinary Team Heritage specialist determined the project will have no adverse effects to any native religious or cultural sites; therefore, no extraordinary circumstances were identified.

7. Archaeological sites or historical properties or areas:

The Forest Interdisciplinary Team Heritage specialist determined the project will have no adverse effect to one identified property, because the cultural resource is not eligible for the National Register of Historic Places; therefore, no extraordinary circumstances were identified.

III. Interested and Affected Agencies, Organizations, and Persons Contacted

On September 27, 2013, the Nez Perce-Clearwater National Forests mailed letters to individuals, organizations, a variety of state and local agencies, and the Nez Perce and Coeur d'Alene tribes, providing information and seeking public comment. The letters, as well as any applicable responses, are contained within the project record.

IV. Findings Required by Other Laws

Based on my review of the action associated with this project, I find that it is consistent with applicable Federal laws and regulations.

National Forest Management Act and Clearwater National Forest Plan: This action is consistent with the Clearwater National Forest Plan (USDA Forest Service 1987b), as amended, and as required by the National Forest Management Act of 1976. In addition, this decision considered the best available science (36 CFR 219.35(a), Reinstatement of the 2000 Planning Rule; 74 FR 242).

PACFISH Riparian Habitat Conservation Areas (RHCAs): All activities associated with the proposed action comply with direction regarding PACFISH and RHCAs.

Endangered Species Act: The Interdisciplinary Team Fish Biologist, Wildlife Biologist, and Botanist evaluated the proposed actions and determined the project complies with the Endangered Species Act.

Clean Air Act: This project will comply with the provisions of the Clean Air Act, and the rules, regulations, and permit procedures of the Environmental Protection Agency (EPA) and the IDEQ.

Clean Water Act and State Water Quality Laws: The Interdisciplinary Team Hydrologist has determined that this project complies with the Clean Water Act, as well as state and Federal water quality laws.

National Historic Preservation Act: Because of the type of project and its location, the Interdisciplinary Team Heritage specialist determined that it meets the Agency's responsibilities under the National Historic Preservation Act (16 USC 470), as amended, and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

Migratory Bird Treaty Act: The proposed action complies with: the Migratory Bird Treaty Act; the U.S. Fish and Wildlife Service Director's Order #131, related to the applicability of the Migratory Bird Treaty Act to Federal agencies; and, Executive Order 13186, meeting Agency obligations as defined under the January 16, 2001 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife Service.

American Indian Treaty Rights: The Nez Perce Tribal Government Liaison and the Nez Perce Tribe reviewed the project and determined the proposed action will not affect Nez Perce Tribe Treaty rights or Nez Perce Tribal members' abilities to exercise those rights.

Environmental Justice: The proposed action will not disproportionately impact consumers, Native American Indians, women, low-income populations, other minorities or civil rights of any American Citizen in accordance with Executive Order 12898. No disproportionate impacts to minority or low-income populations were identified during scoping or the effects analysis.

Prime Farm Land, Range Land, and Forest Land: The proposed action complies with the Federal Regulations for prime land. Federal lands will be managed with appropriate sensitivity to the effects on adjacent lands.

Energy Requirements: No unusual energy demands are required to implement the proposed action.

Other Laws or Requirements: The proposed action is consistent with all other Federal, state or local laws or requirements for the protection of the environment and cultural resources.

V. Administrative Review and Appeal Opportunities, and Implementation Date

This decision is no longer subject to appeal pursuant to the U.S. Court of Appeals for the Ninth Circuit Court Order, filed March 7, 2014, in Case No. 12-16206 (DC No. 1:11-cv-00679-LJO-DLB). The project may be implemented during the timeframe specified above.

VI. Contact Person

Questions regarding this decision should be sent to Michael Brumbaugh, Small NEPA Team Coordinator, c/o Nez Perce-Clearwater NFs Supervisor's Office, 903 Third Street, Kamiah, Idaho 83536; mhbrumbaugh@fs.fed.us; or, (208) 935-4285 or FAX (208) 983-4275.

VII. Signature of Deciding Officer




STEFAN SPENCER

District Ranger

Palouse Ranger District

Enclosures: Maps of Proposed Project

cc: Anne Connor


Date

Maps of Proposed Project

